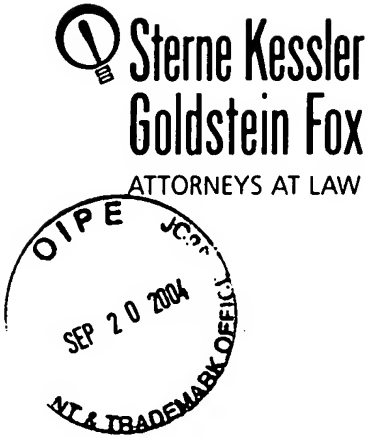


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*Admitted only in Virginia
*Practice Limited to
Federal Agencies

September 20, 2004

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 10/633,690; Filed: August 5, 2003
For: **Compositions and Methods for Molecular Biology**
Inventors: BYRD *et al.*
Our Ref: 0942.5230004/BJD/JKM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
2. Ten (10) pages of Form PTO-1449 citing fifty-six (56) documents;
3. A copy of cited document nos. **AL1-AL2** and **AR1-AT10**;
4. First Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
5. Two (2) pages of Form PTO-1449 citing six (6) documents;
6. A copy of cited document nos. **AM2**, **AR11** and **AS11**; and
7. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
September 20, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Brian J. Del Buono", with a large, sweeping flourish at the end.

Brian J. Del Buono
Attorney for Applicants
Registration No. 42,473

BJD/JKM/nef
Enclosures

307427_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Byrd *et al.*

Appl. No.: 10/633,690

Filed: August 5, 2003

For: **Compositions and Methods for
Molecular Biology**

Confirmation No.: 5456

Art Unit: 1634

Examiner: *To be assigned*

Atty. Docket: 0942.5230004/BJD/JKM

**Information Disclosure Statement
Under 37 C.F.R. § 1.97(b)**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of the documents are submitted herewith.

No copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted in accordance with 1276 OG 55 because this application was filed after June 30, 2003.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
Attorney for Applicants
Registration No. 42,473

Date: Sept. 20, 2004

1100 New York Avenue, N.W.
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SEP 20 2004

FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
0942.5230004/RWE/JKMAPPLICATION NO.
10/633,690FIRST NAMED INVENTOR
Byrd *et al.*FILING DATE
August 5, 2003ART UNIT
1634

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	4,582,622	04/15/1986	Ikeda <i>et al.</i>			10/12/1984
	AB1	4,615,985	10/07/1986	Deutsch <i>et al.</i>			04/16/1984
	AC1	5,143,854	09/01/1992	Pirrung <i>et al.</i>			03/07/1990
	AD1	5,252,743	10/12/1993	Barrett <i>et al.</i>			11/13/1990
	AE1	5,384,261	01/24/1995	Winkler <i>et al.</i>			11/22/1991
	AF1	5,412,087	05/02/1995	McGall <i>et al.</i>			04/24/1992
	AG1	5,436,327	07/25/1995	Southern <i>et al.</i>			03/20/1991
	AH1	5,445,934	08/29/1995	Foder <i>et al.</i>			09/30/1992
	AI1	5,599,695	02/04/1997	Pease <i>et al.</i>			02/27/1995
	AJ1	5,744,305	04/28/1998	Fodor <i>et al.</i>			06/06/1995
	AK1	5,763,170	06/09/1998	Raybuck			06/06/1995

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	WO 97/02357	01/23/1997	WIPO			Yes No
	AM1	WO 97/43450	11/20/1997	WIPO			Yes No
	AN1	WO 98/20967	05/22/1998	WIPO			Yes No
	AO1	WO 99/05574	02/04/1999	WIPO			Yes No
	AP1	WO 99/05591	02/04/1999	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	1	Aldrian-Herrada, G., <i>et al.</i> , "Solid-Phase Synthesis of Peptide Nucleic Acid (PNA) Monomers and Their Oligomerization Using Disulphide Anchoring Linkers," <i>J. Pept. Sci.</i> 4:266-281, John Wiley & Sons, Ltd. (1998)
	AS	1	Amit, B., <i>et al.</i> , "Photosensitive Protecting Groups of Amino Sugars and Their Use on Glycoside Synthesis. 2-Nitrobenzyloxycarbonylamino and 6-Nitroveratryloxycarbonylamino Derivatives," <i>J. Org. Chem.</i> 39:192-196, American Chemical Society (1974)
	AT	1	Bierne, H., <i>et al.</i> , "Deletions at stalled replication forks occur by two different pathways," <i>EMBO J.</i> 16:3332-3340, Oxford University Press (1997)

EXAMINER

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	FIRST NAMED INVENTOR Byrd <i>et al.</i>			
	FILING DATE August 5, 2003		ART UNIT 1634	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	5,800,992	09/01/1998	Fodor <i>et al.</i>			06/25/1996
	AB2	5,837,832	11/17/1998	Chee <i>et al.</i>			05/16/1995
	AC2	5,889,165	03/30/1999	Fodor <i>et al.</i>			05/19/1995
	AD2	5,998,155	12/07/1999	Burton <i>et al.</i>			08/01/1997
	AE2	6,120,992	09/19/2000	Wagner, Jr.			03/04/1996
	AF2	6,177,554 B1	01/23/2001	Woo <i>et al.</i>			06/05/1995
	AG2	6,242,246 B1	06/05/2001	Gold <i>et al.</i>			12/15/1997
	AH2	6,262,026 B1	07/17/2001	Heartlein <i>et al.</i>			04/02/1999
	AI2	6,331,289	12/18/2001	Klaveness <i>et al.</i>			10/28/1997
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2	WO 99/40105	08/12/1999	WIPO			Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	2	Bussiere, D.E. and Bastia, D., "Termination of DNA replication of bacterial and plasmid chromosomes," <i>Mol. Micro.</i> 31:1611-1618, Blackwell Science, Ltd. (1999)
	AS	2	Coskun-Ari, F.F. and Hill, T.M., "Sequence-specific Interactions in the Tus-Ter Complex and the Effect of Base Pair Substitutions on Arrest of DNA Replication in <i>Escherichia coli</i> ," <i>J. Biol. Chem.</i> 272:26448-26456, The American Society for Biochemistry and Molecular Biology, Inc. (1997)
	AT	2	Duggin, I.G., <i>et al.</i> , "Site-directed Mutants of RTP of <i>Bacillus subtilis</i> and the Mechanism of Replication Fork Arrest," <i>J. Mol. Biol.</i> 286:1325-1335, Academic Press (1999)

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>3</u>	Franks, A.H. and Wake, R.G., "Replication Fork Arrest at Relocated Replication Terminators on the <i>Bacillus subtilis</i> Chromosome," <i>J. Bacteriol.</i> 178:4258-4265, American Society for Microbiology (1996)
	AS	<u>3</u>	Griffiths, A.A. and Wake, R.G., "Search for Additional Replication Terminators in the <i>Bacillus subtilis</i> 168 Chromosome," <i>J. Bacteriol.</i> 179:3358-3361, American Society for Microbiology (1997)
	AT	<u>3</u>	Griffiths, A.A., <i>et al.</i> , "Replication Terminator Protein-Based Replication Fork-Arrest Systems in Various <i>Bacillus</i> Species," <i>J. Bacteriol.</i> 180:3360-3367, American Society for Microbiology (1998)

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>4</u>	Henderson, T.A., <i>et al.</i> , "Site-directed mutagenesis and phylogenetic comparisons of the <i>Escherichia coli</i> Tus protein: DNA-protein interactions alone can not account for Tus activity," <i>Mol. Genet. Genomics</i> 265:941-953, Springer-Verlag (August 2001)
	AS	<u>4</u>	Hiasa, H. and Marians, K.J., "Tus Prevents Overreplication of <i>oriC</i> Plasmid DNA," <i>J. Biol. Chem.</i> 269:26959-26968, The American Society for Biochemistry and Molecular Biology, Inc. (1994)
	AT	<u>4</u>	Hidaka, M., <i>et al.</i> , "Purification of a DNA Replication Terminus (<i>ter</i>) Site-binding Protein in <i>Escherichia coli</i> and Identification of the Structural Gene," <i>J. Biol. Chem.</i> 264:21031-21037, The American Society for Biochemistry and Molecular Biology, Inc. (1989)

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	AL						Yes No
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	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>5</u>	Hill, T.M. and Marians, K.J., "Escherichia coli Tus protein acts to arrest the progression of DNA replication forks <i>in vitro</i> ," <i>Proc. Natl. Acad. Sci. USA</i> 87:2481-2485, National Academy of Sciences (1990)
	AS	<u>5</u>	Hill, T.M., <i>et al.</i> , "tus, the trans-acting gene required for termination of DNA replication in <i>Escherichia coli</i> , encodes a DNA-binding protein," <i>Proc. Natl. Acad. Sci. USA</i> 86:1593-1597, National Academy of Sciences (1989)
	AT	<u>5</u>	Hill, T.M., <i>et al.</i> , "Identification of the DNA Sequence from the <i>E. coli</i> Terminus Region That Halts Replication Forks," <i>Cell</i> 55:459-466, Cell Press (1988)

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	AL						Yes No
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	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>6</u>	Jonsson, U., <i>et al.</i> , "Real-Time Biospecific Interaction Analysis Using Surface Plasmon Resonance and a Sensor Chip Technology," <i>BioTechniques</i> 11:620-627, Eaton Publishing Company (1991)
	AS	<u>6</u>	Kaul, S., <i>et al.</i> , "The replication terminator protein of the Gram-positive bacterium <i>Bacillus subtilis</i> functions as a polar contrahelicase in Gram-negative <i>Escherichia coli</i> ," <i>Proc. Natl. Acad. Sci. USA</i> 91:11143-11147, National Academy of Sciences (1994)
	AT	<u>6</u>	Lee, E.H., <i>et al.</i> , "Features of Replication Fork Blockage by the <i>Escherichia coli</i> Terminus-binding Protein," <i>J. Biol. Chem.</i> 267:8778-8784, American Association for Biochemistry and Molecular Biology (1992)

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	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>7</u>	McCray, J.A. and Trentham, D.R., "Properties and Uses of Photoreactive Caged Compounds," <i>Annu. Rev. Biophys. Biophys. Chem.</i> 18:239-270, Annual Reviews, Inc. (1989)
	AS	<u>7</u>	Neylon, C., <i>et al.</i> , "Interaction of the <i>Escherichia coli</i> Replication Terminator Protein (Tus) with DNA: A Model Derived from DNA-Binding Studies of Mutant Proteins by Surface Plasmon Resonance," <i>Biochem.</i> 39:11989-11999, American Chemical Society (2000)
	AT	<u>7</u>	Patchornik, A., <i>et al.</i> , "Photosensitive Protecting Groups," <i>J. Amer. Chem. Soc.</i> 92:6333-6335, American Chemical Society (1970)

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	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>8</u>	Pelletier, A.J., <i>et al.</i> , "Termination Sites T1 and T2 from the <i>Escherichia coli</i> Chromosome Inhibit DNA Replication in ColE1-Derived Plasmids," <i>J. Bacteriol.</i> 171:1739-1741, American Society for Microbiology (1989)
	AS	<u>8</u>	PerkinElmer, <i>PerkinElmer Cetus GeneAmp DNA Amplification Reagent Kit</i> , October 1988.
	AT	<u>8</u>	Riggs, <i>et al.</i> , "Introduction to Expression by Fusion Protein Vectors," in: <i>Current Protocols in Molecular Biology</i> , Ausubel, F.M., <i>et al.</i> , eds., John Wiley & Sons, Inc., New York, NY, pp. 16.4.1-16.4.4 (1994)

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	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>9</u>	Rogers, Y.-H., <i>et al.</i> , "Immobilization of Oligonucleotides onto a Glass Support via Disulfide Bonds: A Method for Preparation of DNA Microarrays," <i>Anal. Biochem.</i> 266:23-30, Academic Press (1999)
	AS	<u>9</u>	Rothstein, R., <i>et al.</i> , "Replication fork pausing and recombination of 'gimme a break'," <i>Genes & Develop.</i> 14:1-10, Cold Spring Harbor Laboratory Press (2000)
	AT	<u>9</u>	Sharma, B. and Hill, T.M., "Insertion of inverted <i>Ter</i> sites into the terminus region of the <i>Escherichia coli</i> chromosome delays completion of DNA replication and disrupts the cell cycle," <i>Mol. Micro.</i> 18:45-61, Blackwell Science, Ltd. (1995)

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>10</u>	Skokotas, A., <i>et al.</i> , "Mutations in the <i>Escherichia coli</i> Tus Protein Define a Domain Positioned Close to the DNA in the Tus-Ter Complex," <i>J. Biol. Chem.</i> 270:30941-30948, The American Society for Biochemistry and Molecular Biology, Inc. (1995)
	AS	<u>10</u>	Skokotas, A., <i>et al.</i> , "Isolation and Characterization of Mutants of Tus, the Replication Arrest Protein of <i>Escherichia coli</i> ," <i>J. Biol. Chem.</i> 269:20446-20455, The American Society for Biochemistry and Molecular Biology, Inc. (1994)
	AT	<u>10</u>	International Search Report for International Patent Application No. PCT/US02/03366, European Patent Office, Netherlands, mailed July 22, 2002

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Byrd *et al.*

Appl. No.: 10/633,690

Filed: August 5, 2003

For: **Compositions and Methods for
Molecular Biology**

Confirmation No.: 5456

Art Unit: 1634

Examiner: *To be assigned*

Atty. Docket: 0942.5230004/BJD/JKM

**First Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(b)**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement submitted herewith in connection with the above-captioned application. Copies of the documents are submitted herewith.

No copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted in accordance with 1276 OG 55 because this application was filed after June 30, 2003.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
Attorney for Applicants
Registration No. 42,473

Date: Sept. 20, 2004

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FORM PTO-1449

FIRST SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
0942.5230004/BJD/JKMAPPLICATION NO.
10/633,690FIRST NAMED INVENTOR
Byrd *et al.*FILING DATE
August 5, 2003ART UNIT
1634

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	AJ2	6,251,674 B1	06/26/2001	Tobin <i>et al.</i>			02/07/2000
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM2	WO 02/062957 A2	08/15/2002	WIPO			Yes No
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	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>11</u>	Smith, M.T., <i>et al.</i> , "The Minimal Sequence Needed to Define a Functional DNA Terminator in <i>Bacillus subtilis</i> ," <i>J. Mol. Biol.</i> 241:335-340, Academic Press (1994)
	AS	<u>11</u>	International Search Report for International Patent Application No. PCT/US03/24064, European Patent Office, Netherlands, mailed May 11, 2004
	AT		

EXAMINER

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FORM PTO-1449 FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 0942.5230004/BJD/JKM	APPLICATION NO. 10/633,690
	FIRST NAMED INVENTOR Byrd <i>et al.</i>	
	FILING DATE August 5, 2003	ART UNIT 1634

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	AA3	5,681,736	10/28/1997	Pace <i>et al.</i>			10/03/1995
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM2						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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